

# **Smoky Canyon Mine Pit F-3 Minor Mine Plan Modification Categorical Exclusion Documentation and Review**

**July 2015**

**DOI-BLM-ID-1020-2015-0037-CX**

## **A. Background**

BLM Office: Pocatello Field Office

Lease/Serial/Case File No: Federal Phosphate Leases I-27512

Proposed Action Title/Type: Smoky Canyon Mine Pit F3 Minor Mine Plan Modification

Location of Proposed Action: Caribou County, Idaho. Within portions of T9S, R45E, Sections 26, 27, 34, and 35, Boise Meridian.

Description of Proposed Action: On June 9, 2015, the J.R. Simplot Company (Simplot) proposed a minor mine plan modification to the approved 2008 Mine and Reclamation Plan governing operations in Panel F at the Smoky Canyon Mine. The proposal consists of modifying the F3 pit configuration whereby adding approximately 45 acres of disturbance. Based on drilling completed after the pit was designed, circa 2003, the pit is essentially shifting to the west-southwest. The area on the east side of the pit that was within the pit, but is now outside of the pit, would be retained in the design as locations for access or temporary storage.

The original pit was located entirely on the Manning Creek (IDI-27512) federal phosphate lease; however, the proposed modification includes a 0.85 acre segment of highwall that will be located off-lease on NFS administered lands. This portion of the modification will be evaluated by the Forest Service and administered through a Special Use Permit.

The seleniferous footprint of the pit will not change. Ore recovery, based on the recent drilling, will decrease by approximately 5%. The pit will retain a similar backfill configuration to the previously approved design. Based upon safety recommendations from an outside consultant, the part of the highwall with exposed Dinwoody Formation will be mined and reclaimed at a shallow, approximately 2(horiz):1(vert), slope. This portion of the highwall will not be backfilled, but because of the weathered nature of the Dinwoody Formation Simplot will be able to reclaim and seed it.

The modified pit has been designed to avoid any additional wetland disturbance beyond what has already been permitted and mitigated. All stormwater from active mining and reclamation will be managed within the pit. A synthetic-lined stormwater pond is designed to capture all stormwater until reclamation is determined to be successful and the Stormwater Pollution Prevention Plan (SWPP) is determined no longer necessary for the site.

## **B. Categorical Exclusion Extraordinary Circumstances Review**

The following review has been undertaken by BLM to determine if any extraordinary circumstances may apply (516 DM 2, Appendix 2) that would require preparation of either an

environmental assessment or an environmental impact statement instead of this categorical exclusion (CX) for the action:

2.1 Have significant impacts on public health or safety.

No public health or safety issues exist with implementation of the proposed action. Mine pits can be inherently hazardous; however, the potential chemical and physical hazards that are associated with this pit have been analyzed and were approved in 2008. The proposed modification shifts the location of the F3 pit, but does not introduce any public health or safety hazards that have not already been addressed.

2.2 Have significant impacts on such natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There would be no significant impacts on natural resources and unique geographic characteristics. The proposed action would occur on National Forest System lands. There are no known or designated historic or cultural resources, parks, recreation lands, refuges, wilderness areas, wild or scenic rivers, national natural landmarks, national monuments, prime farmlands, or any other ecologically significant or critical areas in the proposed project area. No significant impacts would be expected to occur to groundwater or floodplains from shifting the location of the pit. The pit modification was specifically designed to avoid any new impacts to wetlands. Impacts to Idaho Roadless Areas were addressed in the 2007 EIS. Shifting of the pit location and adding 45 acres of disturbance will not change the impacts and all impacts are in compliance with the 2008 Idaho Roadless Rule. All existing conditions of approval and mitigation measures associated with F3 were developed to minimize or mitigate impacts to natural resources. These conditions would continue to be project requirements.

2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [National Environmental Policy Act (NEPA) Section 102(2)(E)].

No highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources have been identified or would take place by shifting the pit location and adding 45 acres of surface disturbance. The proposed action would occur within a Federal mineral lease held by Simplot. The current land use, phosphate mining, is already approved. This modification would not change existing resource uses.

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Mining has been approved and is currently occurring within Panel F. Prior to approval the Mine and Reclamation Plan was assessed through an EIS and is now subject to thorough monitoring. No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks have been identified or are anticipated to take place by shifting the location of the pit.



2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

As mining in the F3 pit has already been approved, the proposed action would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

No. Moving the pit and adding 45 acres of disturbance would not create any cumulatively significant impacts.

2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

No properties either listed or eligible for listing on the National Register of Historic Places were identified at the site, the Panel F area. (Reference: Baseline Technical Report, Cultural Resources, Deer and Manning Creek Phosphate lease Areas, February 18, 2004 by Frontier Historical Consultants)

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

No. Shifting the pit and adding 45 acres of disturbance will not create any new impacts to threatened, endangered, or sensitive species. Potential impacts to listed and candidate species were evaluated as part of the 2007 NEPA analysis for Panels F and G and were elucidated in the Biological Assessment (BA) for the project. The BA assessed Gray Wolf, Bald Eagle, and Canada lynx. Bald Eagle and Gray wolf have been delisted. The BA concluded that the mine, as proposed, *may affect, but is not likely to adversely affect the lynx*. The minor modification, an additional 45 acres of disturbance, will not significantly change any of the factors that lead to the conclusion and thus, will not change the conclusion or anticipated impacts.

Several species have been listed since the 2007 NEPA analysis; however, there is no suitable habitat for those species.

No Greater Sage-grouse have been identified in the area. The project would only disturb Aspen and Aspen/conifer habitat. The closest lek is approximately 3.5 miles to the east. There is no general or priority habitat.

2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

No. The modified pit design is not expected to violate any law or requirement imposed for the protection of the environment.

2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No. The modified pit design would not have any discernible effect on low income or minority populations.

2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

No. The modified pit design would not limit access or use of such sites, nor would it adversely affect the physical integrity of such sites.

2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No. The approved Mine and Reclamation Plan requires Simplot to take measures to prevent the introduction, continued existence, or spread of noxious weeds and non-native invasive species. The modified pit design would be subject to the same requirements.

### **C. Land Use Plan Conformance**

The two Land Use Plans (LUPs) applicable to the proposed action are the 2003 Caribou National Forest Revised Forest Plan, and the BLM's 2012 Pocatello Resource Management Plan. The proposed action is in conformance with these LUPs which specifically allow a lessee or designated operator to mine phosphate on a Federal phosphate lease and to use the area within the lease for other necessary facilities. The original Mine and Reclamation Plan is in compliance with all applicable criteria of both the BLM and Forest Service LUPs and the modified pit would not pose any issues that would change the compliance status.

All mitigation measures that were deemed necessary for the Mine and Reclamation Plan to comply with the existing LUPs are applicable to and remain as requirements for the modified pit.

It is typical for approved mine and reclamation plans to be adjusted in order to accommodate incorporation of new information that affects mining and reclamation. Pits, other surface disturbance boundaries, facilities, or operations may need to be modified to accommodate the latest mine conditions. The Code of Federal Regulations (CFR) allow for modifications to adjust for changes in conditions or correct for oversights (43 CFR 3590.2[a] and 43 CFR 3592.1[d][1]). These situations are considered to be standard practice and are anticipated when BLM conducts NEPA analysis and approves and implements a decision to allow mining.

### **D. Compliance with NEPA:**

The proposed action is categorically excluded from further documentation under NEPA in accordance with 516 DM 11.9, Section F—Solid Minerals, (8) "Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals."

This CX is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

### **E. Decision Record / Rationale:**

My decision is to approve the modified pit design, including the 45 acre increase in disturbance, as part of a minor mine plan modification to the approved mine and reclamation plan for Smoky

Canyon Mine Panels F and G. I have reviewed and assessed the proposal within the intent of the CX described in 516 DM 11.9, Section F—Solid Minerals and have determined that extraordinary circumstances do not exist that would require further NEPA analysis.

Simplot holds the lease issued to them by the Federal government that allows them exclusive rights to mine phosphate reserves within the lease. This decision allows them to exercise those rights subject to adherence to mitigation measures that are part of their lease and also those that are in their approved Mine and Reclamation Plan. The proposed action is categorically excluded from further documentation under NEPA.

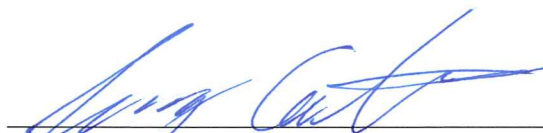
**F. Appeals Information:**

Appeals information can be found at 43 CFR 4.410.

**G. Implementation:**

I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan. The activities meet the category of actions noted above and I have determined that none of the exceptions apply; therefore, no further environmental documentation is required.

**H. Signature**

  
\_\_\_\_\_  
Authorized Officer  
Jeremy Casterson  
Acting Idaho Falls District Manager

  
\_\_\_\_\_  
Date

**Contact Person**

For additional information concerning this CX review, contact Jeff Cundick, Minerals Branch Chief, at (208) 478-6354.